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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,602	09/21/2001	Philip C. Lausier	4940/1G	5669
33690	7590	12/30/2004	EXAMINER	
DAVID LOEWENSTEIN			LE, HIEU C	
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RYE BROOK, NY 10573			ART UNIT	PAPER NUMBER

2142

DATE MAILED: 12/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/960,602

Applicant(s)

LAUSIER, PHILIP C.

Examiner

Hieu c. Le

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

***Claim Objections***

1        Claims 1-8 are objected to because of the abbreviation "NOC" and "VLAN". Applicant has to recite the complete name of "NOC" as "Network operation center", "VLAN" as "Virtual local area network" in the claims.

***Claim Rejections - 35 USC § 112***

2.        Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

          Claim 7 recites " an attach display"; lines 6, " an attach display"; line 7. It is not clear whether an attach display recited on lines 6 is the same or different from a attach display recited on line 7.

***Claim Rejections - 35 USC § 112***

3.        The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4.        Claim 5 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

          Claim 5 recites " including worldwide electrical power connections", lines 1-2. There is no disclosure of "worldwide electrical power connections".

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In the specification as originally filed, nor how to perform it. The specification as originally filed only discloses using an equipment rack with one or more servers (col. 53, lines 7-10).

***Claim Rejections - 35 U.S.C. § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351 (a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claim 6 are rejected under 35 U.S.C. 102(e) as anticipated by Rodriguez et al. ( 2002/0059623 ).

As to claim 6, Rodrigue discloses an edge node (fig. 1, item 14) that receives content from a NOC (item 22) via a satellite link and displays it (col. 2, lines [0019]), the edge node comprising:

a processor that executes code capable of serving both live and non-live content;  
a satellite interface, connected to the processor, that receives the content from the satellite link (Fig. 4, item 110); and

a display interface, connected to the processor (Fig. 4 , item 341).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art

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to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-3, are rejected under 35 U.S.C. 103(a) as being unpatentable over Rodriguez et al. ( 2002/0059623 ) in view of Specht et al ( US Patent 6,414,958).

As to claim 1, Rodriguez discloses an edge node (Fig. 1) comprising:

one or more media servers capable of simultaneously serving both live and non-live content (col. 2; lines [0019])

a Network, connected to the media servers, that receives content from a NOC (item 22) via a satellite link and distributes it to the media servers;

a computer with an attached display screen; and a Network, connected to the media servers, that transmits the content from the media servers to the computer (col. 5, lines [0039]).

Rodriguez does not disclose a VLAN.

Specht disclose network management, remote monitoring, and a VLAN capabilities (col. 4, lines 8-16).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Rodriguez's teachings to modify the combined of method Rodriguez and Specht by using a VLAN in order to improve the security and broadcast control with virtual LAN capabilities (col. 2, lines 44-49).

As to claims 2-3, Rodriguez further discloses where the interfaces with the computer via a wireless network and where the interfaces with the computer via a wired network (col. 14, lines [0098]).

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9. Claims 4, 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rodriguez et al.( 2002/0059623 ) in view of Specht et al ( US Patent 6,414,958). as applied to claim 1 above and further in view of Kikinis ( 2002/0059597).

As to claim 4, neither Rodriguez nor Specht discloses where the one or more media servers, the private VLAN, the computer, and the public VLAN are contained in a portable enclosure.

Kikinis discloses a method for notifying a user of an interactive event received by a hand held unit (col. 3, [0036]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Kikinis's teachings to modify the combined of method Rodriguez and Specht by using a portable enclosure in order to provide an interactive television system that provides interactive functions and alerts a user of these interactive functions.

As to claim 7, Rodriguez discloses a method for displaying content received from a NOC comprising:

using a Network to receive content from a satellite link; distributing the content from the network to one or more media servers capable of simultaneously serving both live and non-live content (col. 2, lines [0019]);

using a network to transmit the received content from the media servers to a computer with an attached display screen; and displaying the transmitted content using the computer with an attached display (Fig. 4, item 341).

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Rodriguez does not disclose where the private VLAN, the one or more media servers, the public VLAN, and the computer with an attached display screen are contained in a portable enclosure.

Specht disclose network management, remote monitoring, and a VLAN capabilities (col. 4, lines 8-16).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Kikinis's teachings to modify the combined of method Rodriguez and Specht by using a portable enclosure in order to provide an interactive television system that provides interactive functions and alerts a user of these interactive functions.

Specht does not disclose the computer with an attached display screen are contained in a portable enclosure.

Kikinis discloses a method for notifying a user of an interactive event received by a hand held unit (col. 3, [0036]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Kikinis's teachings to modify the combined of method Rodriguez and Specht by using a portable enclosure in order to provide an interactive television system that provides interactive functions and alerts a user of these interactive functions.

10. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable Rodriguez et al.( 2002/0059623 ) in view of Kikinis ( 2002/0059597).

As to claim 8, Rodriguez discloses a method for displaying content received from a NOC (Fig. 1) comprising:

using a satellite interface of a computer to receive content from the NOC over a satellite link (fig. 1, item 22,14);

using a processor of the computer to execute code, capable of serving both live and non-live content, to serve the received content (fig. 4; item 110).

outputting the served content using a display interface of computer (fig. 4, item 341).

Rodriguez does disclose where the computer is contained in a portable enclosure.

Kikinis discloses a method for notifying a user of an interactive event received by a hand held unit (col. 3, [0036]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Kikinis's teachings to modify the combined of method Rodriguez and Specht by using a portable enclosure in order to provide an interactive television system that provides interactive functions and alerts a user of these interactive functions.

11. Claim 5 rejected under 35 U.S.C. 103(a) as being unpatentable over Rodriguez et al. ( 2002/0059623 ) in view of Specht et al ( US Patent 6,414,958 ) as applied to claim 1 above and further in view of Ollikainen et al ( US Patent 6,377,981 ).

As to claim 5, [As best understood by the Examiner] neither Rodriguez nor Specht discloses further including worldwide electrical power connections.




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Ollikainen discloses a the cyberstation provides a means for implement a variety of customized standalone receive/transmitter stations that can provide service to multiple household or business (col. 4, line 58-col. 5, line 9).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Ollikainen's teachings to modify the combined of method Rodriguez and Specht by including worldwide electrical power connections in order to provide a flexible interface between satellite/Wireless broadcast/two-way interactive data services and personal computers that may be configured to suit a variety of different communications alternatives and employment situations.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hieu Le whose telephone number is (703) 306-3101. The examiner can normally be reached on Monday to Friday from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey, can be reached on (571) 272-3896. The fax phone number for this Group is (703) 305-3900.

  
JACK HARVEY  
SUPERVISOR